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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

4+refs

Application Number

10/667,278

Filing Date

September 22, 2003

First Named Inventor

David E. McDysan

Art Unit

2154

Examiner Name

Unassigned

Attorney Docket Number

RIC01060N

**ENCLOSURES (Check all that apply)**

|   |   |   |
|---|---|---|
| <input type="checkbox"/> Fee Transmittal Form                             | <input type="checkbox"/> Drawing(s)                                       | <input type="checkbox"/> After Allowance Communication to TC                            |
| <input type="checkbox"/> Fee Attached                                     | <input type="checkbox"/> Licensing-related Papers                         | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences     |
| <input type="checkbox"/> Amendment/Reply                                  | <input type="checkbox"/> Petition   | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final                                      | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information  |
| <input type="checkbox"/> Affidavits/declaration(s)                        | <input type="checkbox"/> Power of Attorney, Revocation                    | <input type="checkbox"/> Status Letter  |
| <input type="checkbox"/> Extension of Time Request                        | <input type="checkbox"/> Change of Correspondence Address                 | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):         |
| <input type="checkbox"/> Express Abandonment Request                      | <input type="checkbox"/> Terminal Disclaimer                              | PTO-1449 Form;  |
| <input checked="" type="checkbox"/> Information Disclosure Statement      | <input type="checkbox"/> Request for Refund                               | 2 Documents; and  |
| <input type="checkbox"/> Certified Copy of Priority Document(s)           | <input type="checkbox"/> CD, Number of CD(s) _____                        | Return Postcard.  |
| <input type="checkbox"/> Reply to Missing Parts/Incomplete Application    | <input type="checkbox"/> Landscape Table on CD                            |   |
| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 |   |   |

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

|              |                  |          |        |
|--------------|------------------|----------|--------|
| Firm Name    | MCI, Inc.        |          |        |
| Signature    |                  |          |        |
| Printed name | Eden U.I. Wright |          |        |
| Date         | June 8, 2005     | Reg. No. | 51,205 |

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

|                       |             |      |              |
|-----------------------|-------------|------|--------------|
| Signature             |             |      |              |
| Typed or printed name | Marlyn Holt | Date | June 8, 2005 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): David E. McDysan

Confirmation No.: 8649

Serial No.: 10/667,278

Art Unit: 2154

Filed: September 22, 2003

Examiner: Unassigned

Title: System, method and apparatus that isolate virtual private network (VPN) and best effort traffic to resist denial of service attacks

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached form PTO-1449. It is respectfully requested that the documents be expressly and independently considered during the prosecution of this application, and that the documents be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

The documents cited herein are submitted under 37 C.F.R. § 1.97(e)(2), and are before the mailing date of any of a final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application, therefore no fee is due.

No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

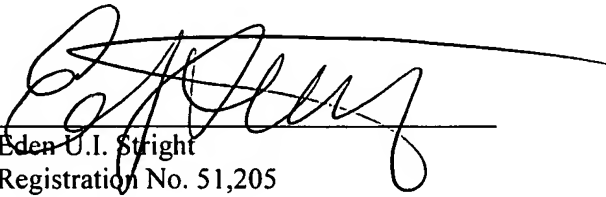
Each of the documents listed on the attached form equivalent to Form PTO-1449 is in the English language.

It is respectfully requested that the documents cited in this Information Disclosure Statement be independently considered by the Examiner.

Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 13-2491, and please credit any excess fees to such deposit account.

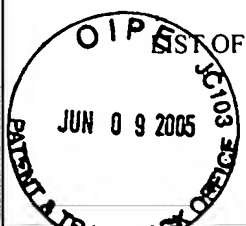
Respectfully submitted,

Date: June 8, 2005



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|---|--|-----------------------------------|------------------------------|
| FORM PTO-1449<br>(REV. 7-80)  | U.S. DEPARTMENT OF COMMERCE<br>PATENT AND TRADEMARK OFFICE | ATTY. DOCKET NO.<br><br>RIC01060N | SERIAL NO.<br><br>10/667,278 |
| <div style="text-align: center;">  </div> LIST OF DOCUMENTS CITED BY APPLICANT<br>(Use several sheets if necessary) |  | APPLICANT(S): David E. McDysan    |                              |
|   |  | FILING DATE<br>September 22, 2003 | GROUP<br>2154                |

**U.S. PATENT DOCUMENTS**

| * EXAMINER<br>INITIAL | DOCUMENT<br>NUMBER | DATE    | NAME | CLASS | SUBCLASS | FILING DATE<br>(IF APPROPRIATE) |
|-----------------------|--------------------|---------|------|-------|----------|---------------------------------|
|                       | 5,768,271          | 06/1998 | Seid |       |          |                                 |
|                       |                    |         |      |       |          |                                 |
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**FOREIGN PATENT DOCUMENTS**

| DOCUMENT<br>NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION |    |
|--------------------|------|---------|-------|----------|-------------|----|
|                    |      |         |       |          | YES         | NO |
|                    |      |         |       |          |             |    |
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**OTHER DOCUMENTS** *(Including Author, Title, Date, Pertinent Pages, Etc.)*

|  |  |  |
|--|--|--|
|  |  | "DOD Standard Transmission Control Protocol", Information Sciences<br>Institute, University of Southern California, IETF Request for Comment<br>761, Jan. 1980 |
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| EXAMINER | DATE CONSIDERED |
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.